

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JUNE 13, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
9:30 A.M.

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 9:30 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Commissioners meeting held on Tuesday, June 6, 2006.**

MOTION: Heier moved and Workman seconded approval of the minutes of the Board of Commissioners meeting held on June 6, 2006. Workman, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The Commissioners Award of Excellence for May, 2006 was presented to Tracy Callahan, an employee with Lancaster Manor.

- 3) **CLAIMS: Approval of all claims processed through Tuesday, June 13, 2006.**

MOTION: Workman moved and Heier seconded approval of all claims processed through June 13, 2006. Heier, Workman and Schorr voted aye. Hudkins was absent from voting. Motion carried.

4) **PUBLIC HEARINGS:**

- A. An application for Corporate Manager for Laurence Francis Splichal in connection with a Class I (Spirits, Wine, Beer On Sale Only) for Veterans of Foreign Wars, Post 3606 located at 3340 West "A" Street, Lincoln, Lancaster County, Nebraska.**

The Chair opened the public hearing and asked if anyone wished to provide testimony.

The Clerk administered the oath to Laurence Splichal, applicant.

Workman asked Splichal if he had completed a hospitality course.

Splichal responded he had not taken the course, however, he would be willing to enroll.

The Chair asked if anyone else wished to provide testimony.

No one appeared and the hearing was closed.

MOTION: Heier moved and Workman seconded approval of an application for Corporate Manager for Laurence Francis Splichal in connection with a Class I (Spirits, Wine, Beer On Sale Only) for Veterans of Foreign Wars, Post 3606 located at 3340 West "A" Street, Lincoln, Lancaster County, Nebraska. Workman, Heier and Schorr voted aye. Hudkins was absent from voting. Motion carried.

*New Business Item 6G was moved forward on the agenda at the request of the Emergency Management Director.

6) **NEW BUSINESS ITEM:**

- G. An agreement between Lancaster County, on behalf of the Lancaster County Emergency Management Department, and Patti Talamante to develop the County's local emergency operational plan (LEOP). Term of the agreement is June 1, 2006 through July 1, 2006. The County will pay \$20,000 for the services. (C-06-0350)**

Doug Ahlberg, Emergency Management Director, introduced Patti Talamante to the County Board.

6) NEW BUSINESS CONTINUED:

(Hudkins entered the hearing room at 9:40 a.m..)

MOTION: Heier moved and Workman seconded approval of an agreement between Lancaster County, on behalf of the Lancaster County Emergency Management Department, and Patti Talamante to develop the County's local emergency operational plan (LEOP). Term of the agreement is June 1, 2006 through July 1, 2006. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Returning to Public Hearings:

B. Increase the appropriations for the Bridge and Road Fund, Weed Control Fund and the County-City Property Management Fund for retirement payout of employees. (See New Business Item 6A for correlating documentation.)

The Chair opened the public hearing and asked if anyone wished to provide testimony.

No one appeared and the hearing was closed.

5) OLD BUSINESS:

A. An agreement with Seim, Johnson, Sestak and Quist L.L.P. to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2006 for the Community Mental Health Center. The length of the agreement is from the date of execution until the cost report has been submitted to the County. The County will pay \$4,200 to \$4,700 for the services. (C-06-0252)

MOTION: Hudkins moved and Heier seconded approval of an agreement with Seim, Johnson, Sestak and Quist L.L.P. to prepare and deliver the Medicare Form HCFA 2088-91-A cost report for the fiscal year ended June 30, 2006 for the Community Mental Health Center. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6) NEW BUSINESS:

- A. A resolution in the matter of supplementing appropriations from the previously adopted budget for the Bridge and Road Fund, in the amount of \$56,301, the Weed Control Fund, in the amount of \$36,250, and the City-County Property Management Fund, in the amount of \$50,000. The budget needs to be increased because of retirement incentives offered to certain long term County employees. (R-06-0057)

MOTION: Hudkins moved and Workman seconded approval of Resolution R-06-0057 in the matter of supplementing appropriations from the previously adopted budget for the Bridge and Road Fund, in the amount of \$56,301, the Weed Control Fund, in the amount of \$36,250, and the City-County Property Management Fund, in the amount of \$50,000. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

B. Applications for Special Events Permits from the Nebraska Sports Council to hold the following events in connection with the Cornhusker State Games:

- ▶ A cycle tour on Saturday, July 15, 2006, beginning at 6:30 a.m.. The tour will begin at Antelope Park and proceed south on the Rock Island Trail to Old Cheney Road. It will then proceed west on Warlick Boulevard and from Warlick Boulevard it will proceed to Highway 77, turning south toward Beatrice, Nebraska.
- ▶ A cycling road race on Saturday, July 22, 2006, beginning at 7:30 a.m. at Branched Oak Lake. The race will begin at Liebers Point on the west side of the lake, turn west on Branched Oak Road and then turn north on Northwest 140th Street and circle the lake.
- ▶ A ten kilometer trail run a/k/a Footstock on Friday, July 21, 2006 beginning at 7 p.m.. The run leaves from Walton, Nebraska using the MoPac Trail East and continues east to approximately 148th Street.

Dave Minarik, Executive Director of the Cornhusker State Games, and Scott Ash, Director of Operations, appeared and gave a brief overview of the applications.

MOTION: Heier moved and Workman seconded approval of three applications for Special Events Permits from the Nebraska Sports Council to hold a cycle tour on July 15, 2006, a cycling road race on July 22, 2006 and a ten kilometer trail run on July 21, 2006 in connection with the Cornhusker State Games. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- C. Referee agreements with the following individuals to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations:**

<u>Name of Individual</u>	<u>Hourly Rate</u>
Jon Fritz (C-06-0340)	\$80
Steven L. Allen (C-06-0341)	\$80
Joe Wilson (C-06-0342)	\$75
Ronald A. Wick (C-06-0343)	\$75
Stephen R. Hanks (C-06-0344)	\$85
Randall B. Wilcox (C-06-0345)	\$70
Ken Rousek (C-06-0346)	\$60

MOTION: Hudkins moved and Workman seconded approval of referee agreements with Jon Fritz, Steven L. Allen, Joe Wilson, Ronald A. Wick, Stephen R. Hanks, Randall B. Wilcox and Ken Rousek to hear valuation protests and transmit to the Lancaster County Board of Equalization all papers relating to such protests, together with written findings and recommendations. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

- D. A subdivision agreement with Robert and Michelle Benes, County Final Plat No. 06013, North Branched Oak Estates 1st Addition, on property generally located at Northwest 84th Street and West Rock Creek Road, Lancaster County, Nebraska. (C-06-0347)**

MOTION: Hudkins moved and Workman seconded approval of a subdivision agreement with Robert and Michelle Benes, County Final Plat No. 06013, North Branched Oak Estates 1st Addition, on property generally located at Northwest 84th Street and West Rock Creek Road, Lancaster County, Nebraska. Heier, Hudkins, Workman and Schorr voted aye. Motion carried.

- E. An agreement between Lancaster County and CenterPointe for the services of three case managers for the Partners in Empowerment and Recovery (PIER) program. Term of the agreement is April 4, 2006 through June 30, 2007. CenterPointe will pay the County \$211,477 for the services. (C-06-0348)**

6) NEW BUSINESS CONTINUED:

MOTION: Heier moved and Hudkins seconded approval of an agreement between Lancaster County and CenterPointe for the services of three case managers for the Partners in Empowerment and Recovery (PIER) program. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

F. An interlocal agreement between Lancaster County and Educational Service Unit #18 for educational services to youth detained at the Youth Services Center. Term of the agreement is August 1, 2006 through July 31, 2007. The County will reimburse the ESU up to \$908,870 for services provided. (C-06-349)

MOTION: Heier moved and workman seconded approval of an interlocal agreement between Lancaster County and Educational Service Unit #18 for educational services to youth detained at the Youth Services Center. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

G. An agreement between Lancaster County, on behalf of the Lancaster County Emergency Management Department, and Patti Talamante to develop the County's local emergency operational plan (LEOP). Term of the agreement is June 1, 2006 through July 1, 2006. The County will pay \$20,000 for the services. (C-06-0350)

This item was moved forward on the agenda.

H. A power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at the Lancaster County Youth Services Center. Term of the agreement is June 1, 2006 to May 31, 2007, and will automatically renew on a month to month basis unless terminated by either party upon 30 days written notice. The price will be determined on a daily basis by the market when the call for curtailment is made by LES. (C-06-0351)

MOTION: Workman moved and Heier seconded approval of a power purchase agreement with Lincoln Electric System (LES) for the curtailment of loads at the Lancaster County Youth Services Center. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

- I. An agreement with the State Public Policy Group d/b/a Nebraska Public Policy Group for the provision of services to assist the Community Mental Health Center in the implementation of the Lancaster County Jail Diversion Capacity Expansion grant. The contractor will provide program evaluation for each year of the grant in accordance with the evaluation and requirements of the funding agency. Term of the agreement will be from July 1, 2006 to June 30, 2007. The County will pay up to \$42,750 for the services. (C-06-0354)**

MOTION: Heier moved and Workman seconded approval of an agreement with the State Public Policy Group d/b/a Nebraska Public Policy Group for the provision of services to assist the Community Mental Health Center in the implementation of the Lancaster County Jail Diversion Capacity Expansion grant. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

J. Acceptance and approval of Temporary Retirement Incentive Program applications and agreements with the following individuals:

- ▶ Nancy Lee Noren, an employee of the Lancaster County Election Commissioner's Office
- ▶ Catherine Y. Sullivan, an employee of the Lancaster County Election Commissioner's Office
- ▶ Carol J. Hawke, an employee of the Lancaster County Treasurer's Office
- ▶ Phyllis Christiansen, an employee of the Lancaster County Treasurer's Office
- ▶ Linda L. Spilker, an employee of the Lancaster County Weed Control Authority's Office
- ▶ Ronald Gene Essink, an employee of the Lancaster County Engineer's Office
- ▶ Robert R. Landkamer, an employee of Lancaster County Property Management
- ▶ Marvin H. Docter, an employee of the Lancaster County Engineer's Office
- ▶ Jerry L. Raikes, an employee of Lancaster County Property Management

MOTION: Hudkins moved and Heier seconded approval of Temporary Retirement Incentive Program applications and agreements with Nancy Lee Noren, Catherine Y. Sullivan, Carol J. Hawke, Phyllis Christiansen, Linda L. spilker, Ronald Gene Essink, Robert R. Landkamer, Marvin H. Docter and Jerry L. Raikes. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

6) NEW BUSINESS CONTINUED:

K. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to The Software Group, Inc., in the amount of \$52,000, for the County Assessor/Register of Deeds system implementation support for 2006.

MOTION: Workman moved and Hudkins seconded approval of the authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to The Software Group, Inc., in the amount of \$52,000, for the County Assessor/Register of Deeds system implementation support for 2006. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

L. Request from Seward County for reimbursement of funeral expenses, in the amount of \$500, for Tim Kolar.

MOTION: Heier moved and Workman seconded denial of a request from Seward County for reimbursement of funeral expenses, in the amount of \$500, for Tim Kolar.

Schorr stated Gary Chalupa, General Assistance Director, reviewed the request and found that Mr. Kolar did not maintain a residence in Lancaster County. On that basis, recommendation was to deny.

ROLL CALL: Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

M. Appointment of Gary Muckel to the Lincoln-Lancaster County Ecological Advisory Committee for a three year term beginning January 1, 2006.

MOTION: Heier moved and Hudkins seconded approval of the appointment of Gary Muckel to the Lincoln-Lancaster County Ecological Advisory Committee for a three year term beginning January 1, 2006. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

7) **CONSENT ITEMS:** *These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:*

A. Receive and Place on File:

1. County Assessor/Register of Deeds' Monthly Report for May, 2006.

B. Request from John Kildare, an employee with the Lancaster County Corrections Department, to voluntarily participate in the County's retirement plan having met the requirements.

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and Randall and Linda Sue Lee, in the amount of \$6,247, on West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; C55-M-405(1). (2 contracts) (C-06-0352 and C-06-0353)

MOTION: Hudkins moved and Heier seconded approval of the Consent Items. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Heier moved and Workman seconded adjournment of the Board of Commissioners meeting at 10:03 a.m.. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 13, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Bernie Heier
Larry Hudkins

Commissioners Absent: Ray Stevens

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 10:03 a.m..

- 1) **MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, June 6, 2006.**

MOTION: Workman moved and Heier seconded approval of the minutes of the Board of Equalization meeting held on June 6, 2006. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 14 additions and deductions to the tax assessment rolls per Attachment "A".

MOTION: Heier moved and Hudkins seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Catholic Bishop of Lincoln
First Free Methodist a/k/a Living Faith Free Methodist Church (2 exemptions)
Glad Tidings Assembly of God
Holy Family Sisters of the Needy
Lincoln Lancaster County Child Guidance Center
Madonna Rehabilitation Hospital
St. Paul United Methodist Church

MOTION: Heier moved and Workman seconded approval of the motor vehicle tax exemptions. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

4) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAX PURPOSES FOR THE FOLLOWING:**

Jason and Shawna Wilhelm
Frank L. Angel, et al
Silver Creek Investment L.L.C. (2 notices)
James B. Weitzel
Frank L. and Roxanne E. Angel
Beverly A. and Ben L. Anderson
Duane W. and Betty J. Lostroh
Pine Lake Association

Austin Williams
Jeremiah Dinslage
Jerry E. and Linda L. Boyce
David P. and Phyllis E. Owen
Austin V. Williams
Firethorn Golf Company L.L.C.
Himark Golf L.L.C. et al

Norm Agena, County Assessor/Register of Deeds, gave a brief explanation regarding the notices.

MOTION: Heier moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds to send notice of assessed valuation change for property tax purposes as listed. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

The Chair stated there is an addendum to the Board of Equalization and asked the Clerk to read the item.

5) **NOTICE OF ASSESSED VALUATION CHANGE FOR PROPERTY TAX PURPOSES FOR RICHARD L. AND LAVONNE M. VEIK:**

MOTION: Hudkins moved and Workman seconded to accept the recommendation of the County Assessor/Register of Deeds to send notice of assessed valuation change for property tax purposes for Richard L. and Lavonne M. Veik. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

6) **ADJOURNMENT:**

MOTION: Heier moved seconded adjournment of the Board of Equalization meeting at 10:08 a.m.. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
County Clerk